



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Sarkozy, et al.

Attorney Docket:

STO-05RI

RECEIVED

Filed:

04/12/2001

Examiner:

Kim

MAY 2 1 2003

Serial No.:

09/832,812

Art Unit:

2185

Technology Center 2100

Title:

Apparatus and Method for Storing Data with Selectable Data Protection Using

Mirroring and Selectable Parity Inhibition

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

MAILING CERTIFICATE

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Kristin Mattern

5/13/03

INFORMATION DISCLOSURE STATEMENT

Applicants wish to bring to the attention of the Patent and Trademark Office the information noted on the enclosed form PTO-1449 which may be considered material to the examination of the above-identified application.

Applicants acknowledge the large number of references cited in this Information Disclosure Statement. These references were provided to the Patent Owner by a defendant during litigation of the original 5,893,919 patent, and Applicants submit these references to comply with their duty of disclosure under 37 C.F.R. 1.56.

No fee is due at this time, as this Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(3), before the mailing of a first Office action on the merits.

REISSUE LITIGATION ART UNIT 2185

If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' attorney at the address below.

Respectfully submitted,

Brian A. Carlson Attorney for Applicant Reg. No. 37,793

Slater & Matsil, L.L.P. 17950 Preston Rd., Suite 1000 Dallas, TX 75252 (972) 732-1001 (phone) (972) 732-9218 (fax)

PTO/SB/08A (02-03)

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Substitute for form 1449/PTO				Application Number	09/832,812	
INFORMATION DISCLOSURE				Filing Date	4/12/2001	
				First Named Inventor	Sarkozy, et al.	
	STATEMENT BY APPLICANT			Art Unit	2185	
(use as many sheets as necessary)			sary)	Examiner Name	Kim	
Sheet	1	of	22	Attorney Docket Number	STO-05RI	

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,317,722	05-31-1994	Evans	
		US- 5,333,198	07-26-1994	Houlberg et al.	
		US- 5,657,468	08-12-1997	Stallmo et al.	
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	<u> </u>	US- 5,720,025	02-17-1998	Wilkes et al.	
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	<u> </u>	US- 6,115,797	09-05-2000	Kanda, et al.	
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Complete if Known Substitute for form 1449B/PTO **Application Number** 09/832,812 4/12/2001 Filing Date INFORMATION DISCLOSURE Sarkozy et al. First Named Inventor STATEMENT BY APPLICANT 2185 Group Art Unit (use as many sheets as necessary) Examiner Name Kim Technology Center 2100 22 2 STO-05RI Attorney Docket Number of Sheet

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	7
Examiner Initials*	Cite ₁ No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		GIBSON, G.A., "Redundant Disk Arrays: Reliable, Parallel Secondary Storage," The MIT Press, Cambridge, Massachusetts (1992), pp. xvii-xxi and 1-288.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

09/832,812 **Application Number** RECLIVED 4/12/2001 Filing Date MAY 2 1 2003 Sarkozy et al. First Named Inventor 2185 Group Art Unit Examiner Name Technology Center 2100 Attorney Docket Number STO-05RI

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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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Examiner nitials*	Cite _i No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
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Substitute for form 1449B/PTO Complete if Known **Application Number** 09/832.812 4/12/2001 Filing Date INFORMATION DISCLOSURE First Named Inventor Sarkozy et al. 2003 STATEMENT BY APPLICANT 2185 Group Art Unit (use as many sheets as necessary) Examiner Name Kim Technology (enter 2100 8 22 STO-05RI Sheet Attorney Docket Number of

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	т2
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

Complete if Known **Application Number** 09/832,812 4/12/2001 **Filing Date** Sarkozy et al. First Named Inventor 2003 MAY 2185 Group Art Unit **Examiner Name** Kim Technology STO-05RI Attorney Docket Number

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
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Group Art Unit

Complete if Known
Application Number

99/832,812
Filing Date
4/12/2001
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Group Art Unit
2185

(use as many sheets as necessary)

Examiner Name

Sheet 14 of 22 Attorney Docket Number STO-05RI Technology Center 2100

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Ifem (DOOK magazine journal serial symposium catalog atc.) data paga(s) volume issue		
		SULLIVAN-TRAINOR, M., et al., "Smaller, Faster, but not Cheaper; EMC's Symmetrix Storage Systems Beat IBM's Conventional DASD in Key Areas Expcept [sic] Cost and Ease of Customizing," Computerworld (June 15,1992), p. 72.	
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		GILLIN, P., "EMC Upgrades 3990-like Disk Array by 60%," Computerworld (January 13, 1992), p. 160.	
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		"Encore Expands Into New Gaming Market with Best System Inc. and Pacific System Integrators Inc.," Business Wire (September 10, 1996).	

Examiner	Date	
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Application Number	09/832,812	RECE			
Filing Date	4/12/2001				
First Named Inventor	Sarkozy et al.	MAY 2			
Group Art Unit	2185				
Examiner Name	Kim	Technology			
Attorney Docket Number	STO-05RI				

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		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the	
Examiner	Cite	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	1 7
Initials*	No.	number(s), publisher, city and/or country where published.	
		"ENCORE COMPUTER CORPORATION: South African Farm Cooperative Buys Encore Infinity Data Storage System," M2 Presswire (September 9, 1996).	
	ļ	"Memorex Telex Sells Encore Infinity SP to Haindl," Business Wire (September 3, 1996).	<u> </u>
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Martin California		"Encore Reports Second Quarter Financial Results; Product Revenues Increase - Service Declines," Business Wire (August 19,1996).	
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		"Encore Sells Real-Time Systems to the French Navy, DCN-Direction Des Constructions Navales \$1 Million Contract," <i>Business Wire</i> (July 9, 1996).	
		"Gulf States Toyota, Inc. purchases Encore's Infinity SP Storage Processor with Data Sharing and Backup/Restore Capabilities," Business Wire (June 25, 1996).	
		"Encore Awarded a \$3 million Contract for Real-Time Computer Systems from EDF Nuclear Power in France," <i>Business Wire</i> (June 25, 1996).	
		"Pepsi-Cola General Bottlers Takes Advantage of Data Sharing Capability of Encore's Infinity SP30," Business Wire (June 11, 1996).	
» 		"Memorex Telex (UK) Ltd. to Sell Encore Infinity SP Storage Processors," <i>Business Wire</i> (June 3, 1996).	
		"Amcotec Sells Encore Infinity SP30 to General Accident South Africa," Business Wire (May 28, 1996)	

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Substitute for form 1449B/PTO Complete if Known **Application Number** 09/832,812 RECHIVED Filing Date 4/12/2001 INFORMATION DISCLOSURE First Named Inventor Sarkozy et al. STATEMENT BY APPLICANT MAY 2 2003 Group Art Unit 2185 (use as many sheets as necessary) **Examiner Name** Kim

Technology 16 22 Sheet Center 2100 of STO-05RI Attorney Docket Number

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite _j No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Encore Gets \$3 Million Order for London Underground; Safety Criteria Impose Special Requirements," Business Wire (May 21, 1996).	
		"Encore Reports First Quarter Financial Results; Records Initial Storage Product Revenue," Business Wire (May 15, 1996).	
		"KPT Inc. Purchases Encore Infinity SP30 Storage Processor for Print Server Applications," Business Wire (May 14, 1996).	
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		"Digital and Encore Computer to Market Infinity Gateway for AlphaServer 8000 Systems," Business Wire (April 10, 1996).	
		"ENCORE GETS CONTRACT," Sun-Sentinel (March 26, 1996), p. 3D.	
***************************************		"Northrop Grumman Purchases Encore Systems for U.S. and French Navy E-2C Project," <i>Business Wire</i> (March 25,1996).	
		"Encore Announces a Simple, Low Cost, Direct Internet Data Facility to Share Mainframe and Open Systems Data," <i>Business Wire</i> (February 29, 1996).	
		"Encore Sells Infinity SP30 Storage System; ISC of Miami Realizes Operating Efficiencies and Financial Savings from New Storage System," <i>Business Wire</i> (February 20, 1996).	

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				Examiner Name	Kim	Technology	Center 2100
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		"Encore Sells Infinity SP30 Storage System to GUVV in Germany," Business Wire (February 9, 1996).	
		"Encore Signs Memorex Telex Italia; Italian Distributor to Market the Infinity SP Storage Processor," Business Wire (February 6,1996).	
		"Encore Wins Award Valued at Over \$1M for PAC-3 Missile," Business Wire (January 29, 1996).	
		"Encore Wins Contract Valued at US\$500,000 from Ceselsa," M2 Presswire (January 25, 1996).	
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		"Encore Announces World's Fastest Single Board Computer System," Business Wire (January 10, 1996).	
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		"Encore Extends Storage Presence to Argentina," M2 Presswire (December 12, 1995).	
		"Encore Extends Storage Presence to Argentina; PANAM TECH to Sell Infinity SP Storage Processors," <i>Business Wire</i> (December 11,1995).	
		"Encore Announces Sale to Agusta Sistemi in Italy; Alpha AXP-Based Infinity R/T Selected for Simulation," Business Wire (December 4, 1995).	
		"Encore Announces System Sale to Letov in Czech Republic," Business Wire (November 27, 1995).	

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Complete if Known **Application Number** 09/832,812 RECEIVED 4/12/2001 Filing Date First Named Inventor Sarkozy et al. $M\Delta Y$ 2003 Group Art Unit 2185 Examiner Name Kim Technology Center 2100 Attorney Docket Number STO-05RI

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		"Encore Ships Computer System for High Speed Magnetic Suspension Train," <i>Business Wire</i> (November 25, 1995).	
		"Encore Reports Third Quarter Financial Results; Encore Makes Progress in Building Storage Distribution," Business Wire (November 20, 1995).	
		DEPOMPA, B. "EMC Device Does Two Jobs-New Enterprise Storage Platform Can Handle Data from Mainframes and Unix Computer Systems," <i>Information Week</i> (November 20, 1995), p. 163.	
		"Encore Signs Major Distributor in Sweden; MOREX to Sell Infinity SP Storage Family," Business Wire (November 13, 1995).	
		STEDMAN, C., "EMC to Open Up Disk Arrays; Symmetrix 5000 Will Store Data From Multiple Platforms," Computerworld (November 6, 1995), p. 14.	
		"Encore Ships Systems to AeroSimulation; Contract Valued at \$1 Million Plus," Business Wire (October 31, 1995).	
		"Encore Wins Award from Lockheed Martin; \$2.4 Million Contract Awarded for MTSS Program," Business Wire (October 24, 1995).	
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***************************************		"Encore Infinity SP40 Sets Industry Standard Performance Record for DASD Controllers," Business Wire (October 9, 1995).	
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Complete if Known Substitute for form 1449B/PTO 09/832,812 **Application Number** RECLIVED 4/12/2001 Filing Date INFORMATION DISCLOSURE First Named Inventor Sarkozy et al. STATEMENT BY APPLICANT MAY 2 1 2003 2185 Group Art Unit (use as many sheets as necessary) **Examiner Name** Kim Technology Center 2100 19 22 STO-05RI Attorney Docket Number Sheet of

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		"Encore Announces Entry Level Storage System That Revolutionizes Enterprise Wide Data Access; Provides Open Systems Users Direct Access to Mainframe Data," <i>Business Wire</i> (September 19,1995).	
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•		KOHL, J.T., et al., "HighLight: Using a Log-Structured File System for Tertiary Storage Management," (November 20, 1992), pp. 1-15.	
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		HOLLAND, M., et al., "Parity Declustering for Continuous Operation in Redundant Disk Arrays," Proceedings of the 5 th Conference on Architectural Support for Programming Languages and Operating Systems (1992).	
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				Application Number	09/832,812		
IN	FORMATIOI	N DISCL	OSURE	Filing Date	4/12/2001	BEC	EIVED
STATEMENT BY APPLICANT		First Named Inventor	Sarkozy et al.				
(use as many sheets as necessary)	Group Art Unit	2185	MAY 2	1 2003			
				Examiner Name	Kim		
Sheet	21	of	22	Attorney Docket Number	STO-05RI	Technolog	Center 2100

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"IEEE Guide to Software Design Descriptions," The Institute of Electrical and Electronics Engineers, Inc., New York, NY (May 25, 1993), pp. i-v and 1-22.	
		"IEEE Guide for the Use of IEEE Standard Dictionary of Measures to Produce Reliable Software," Institute of Electrical and Electronics Engineers, Inc., New York (June 12, 1989), pp. 1-96.	
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Filing Date	4/12/2001		
First Named Inventor	Sarkozy et al.		
Group Art Unit	2185		
Examiner Name	Kim		
Attorney Docket Number	STO-05RI		

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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		BORGERSON, B.R., et al., "The Architecture of the SPERRY UNIVAC 1100 Series Systems," IEEE (June 1979), pp. 137-146.	
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